



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/452,284	11/30/1999	MURALI DUVVURY	CISCO-1656	1103

7590 11/09/2004
DAVID B RITCHIE
D'ALESSANDRO & RITCHIE
P O BOX 640640
SAN JOSE, CA 951640640

EXAMINER

NGUYEN, BRIAN D

ART UNIT	PAPER NUMBER
----------	--------------

2661

DATE MAILED: 11/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/452,284

Applicant(s)

DUVVURY, MURALI

Examiner

Brian D Nguyen

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on the amendment filed 7/27/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 15-20, 27-32, 36 and 38-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-4, 15-20, 27-32, 36 and 45 is/are rejected.
- 7) ☒ Claim(s) 38-44 and 46-48 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 15-20, 27-32, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lecheler et al (6,425,008) in view of Barkai et al. (6,188,691).

Regarding claims 1, 15, 27, and 36, Lecheler discloses a system and a method for assigning private IP addresses (see col. 1, lines 43-49) to network devices in network 16 in a cluster, each device being capable of interconnecting at least two segments for forwarding data (see figures 1 and 2). The cluster of network devices comprises a commander network device (manager 40) having a public IP address (global address). Lecheler does not specifically disclose the private IP address is calculated as a function of the MAC address. However, Barkai et al. discloses the private IP address is calculated as a function of the MAC address (see col. 2, lines 35-39 where Barkai discloses that MAC address is derived from IP address). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to calculate the private IP address based on the MAC address as taught by Barkai et al. in the system of Lecheler so that the assigning of the private IP address will be simpler and the matching of IP address to MAC can be easier.

Regarding claims 2, 4, 16-17, 19-20, 28-29, and 31-32, Lecheler discloses the network device is a LAN switch (see col. 5, line 25).

Art Unit: 2661

Regarding claims 3, 18, and 30, Lecheler discloses the private IP address is calculated by adding the value of one or more bytes of the MAC address to a base IP address (see figure 1 and col. 8, lines 54-62 where two bytes of the MAC is added to the base private IP address, for example A: 10.1 and B: 10.2).

Allowable Subject Matter

3. Claims 38-40, 41-44, and 46-48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. The applicant filed the Statement Concerning Common Ownership to disqualified Daruwalla (6,693,878). However, because the limitation “generating a private IP address as a function of said MAC address” is implicitly disclosed by Lecheler. In figure 1, Lecheler shows the relationship in the customer domain between the IP and MAC addresses. For example the first two bytes 10.1 for A and 10.2 for B are added to a base IP address. Therefore, the claims remain rejected. The examiner also uses another reference, Barkai (6,188,691), to clearly show that a private IP address is a function of a MAC address (the MAC address is derived from the IP address).

Conclusion

Art Unit: 2661

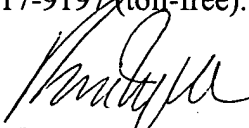
5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian D Nguyen whose telephone number is (571) 272-3084. The examiner can normally be reached on 7:30-6:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Vanderpuye can be reached on (571) 272-3078. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


BRIAN NGUYEN
PRIMARY EXAMINER

11/3/04